

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

CORBETT O'CONNOR,

Debtor.

Case No.:

CHAPTER 13 PLAN

1. The future earnings of the debtor are submitted to the supervision and control of the trustee and the debtor shall pay to the trustee for a total of 60 months, the sum of \$5,500.00 per month commencing July 2017 thru and including June 2022 for a period of 60 months.
2. From the payments so received, the trustee shall make disbursements and follows:
 - (a) Full payment in deferred cash payments of all claims entitled to priority pursuant to 11 U.S.C. Section 507. The debtor's attorney shall receive \$3,000.00, the remainder of his legal fees, through the plan.
 - (b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

Shellpoint Mortgage Servicing, (a/c 3972), who holds a first mortgage lien against the debtor's residence, to be paid pre-petition arrears in the sum of \$0.00 plus 0% interest over the life of the plan.

(c) Subsequent and/or concurrently with distribution to secured, priority, and administrative creditors, dividends to **unsecured creditors** whose claims are duly allowed as follows: PRO RATA distribution to all timely filed proofs of claims of not less than 100%.

(d) The debtor reserves the right to object to any claims subsequent to confirmation and at any time prior to discharge.

3. The Debtor shall make all post-petition payments, including but not limited to mortgage payments, vehicle payments, real estate taxes and income taxes, outside of the plan.

Loss Mitigation/Loan Modification

4. The mortgage due to Shellpoint Mortgage Servicing on the property known as 186 North Herman Avenue Bethpage, NY under account number 3972 is in default. Said default including all arrears, legal fees and other expenses due to the mortgagee shall be capitalized pursuant to a loan modification under the Court's Loss Mitigation Program, as provided in General Order 582 in the United States Bankruptcy Court for the Eastern District of New York. The debtor(s) post-petition mortgage payments under the Loss Mitigation calculation with the full balance due on the mortgage including, all past due payments, late charges, legal fees, escrow deficiency, etc. and totals \$900,000.00 to be paid at 2% interest amortized over forty (40) years will amount to a monthly payment of

\$4,825.00 including principal and interest of \$2,725.00 and escrow of \$2,100.00. The estimated monthly payment of \$4,825.00 shall be paid directly to the Chapter 13 Trustee while Loss Mitigation is pending and until such time as the Debtor has entered into a trial loan modification under the Loss Mitigation Program. Contemporaneous with approval and commencement of a trial loan modification, the Debtor will amend the Chapter 13 Plan and Schedule J of the Debtor's petition to reflect the terms of the trial agreement, including the direct payment, going forward, of the mortgage to the mortgage lienholder.

5. All lease agreements are hereby assumed, unless specifically rejected as follows:
6. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the debtor(s) shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed.
7. Title to the debtor(s) property shall re-vest in the debtor(s) upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming the plan. Throughout the term of this plan, the debtor(s) will not incur post-petition debt over \$2,000.00 without written consent of the Chapter 13 trustee or the Court.

/s/ Michael Kinzer
Attorney for Debtor

/s/ Corbett O'Connor
Debtor

Dated: Farmingdale NY
June 16, 2017